GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Sri.C.Ashok Kumar Reddy, M.A.O., Kurnool,Kurnool district and others – Initiation of departmental Common/Joint enquiry u/r 20 of APCS (CC&A) Rules, 1991 - Articles of charge – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.RT.No. 266 **Dated: 12-05-2017**
Read the following:-

1.From the GAD(V&E) Dept V&E report No14 (C.no.1035/V&E/D1/2015) Dt:20.02.2016
2.From the Director of Agriculture, AP, Guntur Lr.No.Vig.I(2) 67/2016, Dt:17.04.2017

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ORDER :-

It is proposed to hold an enquiry against the said Sri.C.Ashok Kumar Reddy, M.A.O., Kurnool, Kurnool district in accordance with procedure laid down in Rule - 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). Statement of imputation or misconduct of misbehaviour on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri.C.Ashok Kumar Reddy, M.A.O., Kurnool, Kurnool district is directed to submit a written statement of defence within 15 days of the receipt of this G.O. and also to state whether he desires to be heard in person.

4. Sri.C.Ashok Kumar Reddy, M.A.O., Kurnool,Kurnool district is further informed that an Inquiry will be held only in respect of those article of charge as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. Sri.C.Ashok Kumar Reddy, M.A.O., Kurnool,Kurnool district is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri.C.Ashok Kumar Reddy, M.A.O., Kurnool, Kurnool district is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his

service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri.C.Ashok Kumar Reddy, M.A.O., Kurnool,Kurnool district is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule -24 of the A. P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(**BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

B.RAJASEKHAR
SPECIAL CHEIF SECRETARY TO GOVERNMENT(FAC)

To
Sri.C.Ashok Kumar Reddy, M.A.O., Kurnool,Kurnool district (through the Director of Agriculture ,A.P, Guntur.)

Copy to:

The Director of Agriculture .A.P, Guntur (with a request to serve the order on the charged officer and return the served copy with dated ack.,)
SC/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER

Annexure- I

Statement of Article of charge against Sri.C.Ashok Kumar Reddy, Mandal Agricultural Officer, Kurnool District

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Article of charge:

"That, the said Sri.C.Ashok Kumar Reddy, Mandal Agricultural Officer, Kurnool Mandal, Kurnool District, has not supervised the licensed premises i.e., M/s Basil Plant Nutrition. He has not identified the illegal activity of manufacturing Bio-Products by mixing with pesticides, huge stock of pesticides and other raw material in the licensed premises of M/s Basil Plant Nutrition. He has not drawn the Bio-Product samples in the manufacturing unit as on 03-09-2015.

Thus, he was negligent in discharging his duties and not devoted to duty in violation of the provisions of Rule-3 of A.P.C.S.Conduct Rules, 1964."

Annexure- II

Statement of imputations of misconduct or misbehaviour in support of the article of charge framed against Sri.C.Ashok Kumar Reddy, Mandal Agricultural Officer, Kurnool, Kurnool District

1. The officials of vigilance and Enforcement Department along with Agricultural Department Officers have conducted Surprise raids on 03-09-2015 on the premises of M/s Basil Plant Nutrition located at Dinnedevarapadu village, Kurnool District, a manufacturing unit of AP Formulation No : 4(powder) and AP Formulation No: 6(Liquid) but manufacturing of pesticides is going on in three firms i.e., 1. Suphal Agri Tech, 2. Karshak Agro Chemicals, 3. Basil Plant Nutrition. The owners of these firms are Sri.B.Gajendra and his brother Sri.B.Thippa Reddy native of Gadwal, Mahaboobnagar District. The said firms are permitted to manufacture Micronutrient A.P.Formula No : 4 (powder), Formula No: 6 (liquid) Bio-Fertilizer and Bio-products, but pesticides are being manufactured by mixing chemicals instead of AP formula No : 4 (powder) and Formula No: 6 (liquid) Bio-Fertilizer and Bio-products. During the enquiry it is noticed that pesticides are being manufactured by mixing chemicals instead of Bio-Fertilizer and Bio-products. The different chemicals are being mixed in the drums and the same is filled into bottles. On verification of the godowns, lot of drums filled with liquids(200 Liters capacity) were found without labels. Some drums are having labels as Dim ethyl Form amide, Made in China. Some granules drums and packed Bio-products stock on different firm names, packing machines and weighing machines were found. Eight thiomethoxim chemical drums each 50 kgs, which is a registered pesticide under Insecticide Act were also found. There are two firm boards available in the premises i.e., Basil Plant Nutrition, Kurnool and Suphal Agri. Tech, Kurnool.

2. The firm M/s Basil Plant Nutrition has not taken Hon'ble Court Order for manufacture and sale of Bio-Products. The said firms are permitted to manufacture Bio-Fertilizer and Bio-Products, but pesticides are being manufactured by mixing chemicals instead of Bio-Fertilizer and Bio-Products. The chemical pesticides are brought from different places. The different chemicals are being mixed in the drums and the same is filled into bottles with laborers. The firm M/s Basil Plant Nutrition has not maintained stock registers and bill books, but in the same premises chemical pesticide Thiomethaxim is stocked. Huge stocks of drums filled with liquid without labels, which were ready to use for manufacturing pesticides in the guise of bio-products were found. Some of them are having codes like TXM (Thiomethaxim), EBEC (Emamectin Benzoate), ABM (Abamycin) on different firms names i.e., Suphal Agri Tech, Kurnool, Karshak Agro Chemicals, Kurnool, Modern Agro Solutions, Hyderabad, Sindhoori Agro Tech, Hyderabad, Lemon Fresh Biotech, Banglore. Chemical pesticides are being manufactured by Suphal Agri Tech, Kurnool and Karshak Agro Chemicals, Kurnool in the name of Bio-Products in the same premises of said Basil Plant Nutrition. Due to negligence of Agriculture Department officials, the bio-product manufacture firms are taking advantage and mixing chemical pesticides in the bio-products and the same is sold in the market as bio-products without submitting samples to the Agriculture Department, thus causing loss to farmers. The bio-product firms are manufacturing and marketing the chemical laced Bio-Products without submitting the samples to the Director of Agriculture and also not maintaining records, as there is no regulatory mechanism on Bio-Products. The said Bio-Products manufacturing firms are stating that, they are manufacturing Bio-Products by using Amino acids and sea weed extract, but they have not produced any source for raw materials like Amino acids and Sea weed extract procurement, and not shown any physical stocks in the premises. On physical verification in the manufacturing unit, different agri chemicals are available without any laboratory facilities. They are simply mixing in drums and bottling in different sizes using unskilled labour.

3. Sri.C.Ashok Kumar Reddy, is working as Mandal Agricultural Officer, Kurnool since 2012. He has inspected the Basil Plant Nutrition along with A.D.A. (R), Kurnool and District Joint Director of Agriculture, Kurnool for forwarding the proposals for license to the Commissioner and Director of Agriculture. At that time, there was no other activity in that place. Next time when he came for inspecting the premises and found the premises locked, he confirmed that, M/s Basil Plant Nutrition management has not started the manufacturing and marketing of micro nutrients and granulated mixtures and also not maintained records. He has not drawn any bio-products samples before V&E inspection. But being the responsible officer of his jurisdiction, he stated that he has not identified any illegal activity during the day time in the premises. Further he himself admitting that, the firm M/s Basil Plant Nutrition has not started the manufacturing and marketing of Agricultural inputs. He himself admitted that, he has not physically inspected the premises since 6 months, and not submitted the facts to the higher

authorities, being Pesticide Inspector, he should draw the bio-products samples in the manufacturing units, but he has not drawn single sample and not inspected prior to V&E inspection.

4. Thus, Sri.C.Ashok Kumar Reddy, Mandal Agricultural Officer, Kurnool was not devoted to duty and negligent in discharging his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964.Hence the Article of Charge.

ANNEXURE-III

List of documents by which the article of charge framed against Sri.C.Ashok Kumar Reddy, Mandal Agricultural Officer, Kurnool District are proposed to be sustained.

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Vigilance Report No. 14 (C.No. 1035/V&E/D1/2015), dated: 20-02-2016 of Govt.of A.P., General Administration, (Vigilance & Enforcement) Department

ANNEXURE-IV

List of witnesses by whom the Article of Charge framed against Sri.C.Ashok Kumar Reddy, Mandal Agricultural Officer, Kurnool District are proposed to be sustained.

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B.RAJASEKHAR
SPECIAL CHEIF SECRETARY TO GOVERNMENT(FAC)

SECTION OFFICER